

**THE CITY OF NEW YORK
LAW DEPARTMENT**

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October 24, 2023

BY ECF

Honorable Jesse M. Furman
United States District Judge
Southern District of New York
40 Centre Street, rm 2202
New York, New York 10007

Re: Allen v. City of New York, et al.
Index No.: 19-CV-03786

Dear Judge Furman:

I am an Assistant Corporation Counsel in the office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for Defendants New York City Health and Hospitals Corporation (“H+H”) and City of New York (“City”) (collectively, “Defendants”), in the above-captioned proceeding. Defendants write pursuant to rule 2(E) of your Individual Rules and Practices in Civil Cases to respectfully request a fourteen (14) day extension of time to file their response to Plaintiffs’ combined motion for summary judgment and motion to strike, and file their respective motion for summary judgment and motion to strike Plaintiffs’ expert. This would move Defendants’ time to respond from October 27, 2023 to November 10, 2023. Defendants also respectfully request that Plaintiffs’ joint opposition/reply and Defendants’ reply be likewise extended to December 11, 2023 and December 25, 2023 respectively. This is Defendants’ third request. Plaintiffs do not oppose this request.

On June 1, 2023, the Court adopted the parties’ second joint briefing schedule and warned the parties that no further extensions would be granted. See ECF Dkt. No. 104. The extension is needed due to the undersign’s current workload. In the present matter there are eleven individually named Plaintiffs and all of their claims need to be addressed in Defendants’ moving papers, which is essentially eleven mini-motions for summary judgment. Defendants also need to oppose Plaintiffs’ motions and move to strike Plaintiffs’ expert.

Thus, Defendants respectfully request an extension of fourteen (14) days, or until November 10, 2023, in which to move for summary judgment, move to strike Plaintiffs’ expert, and oppose Plaintiffs’ motions. I thank the Court for its attention in this matter.

Respectfully submitted,

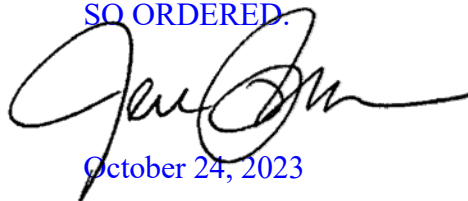
/s/ Elisheva L. Rosen

Elisheva L. Rosen
Assistant Corporation Counsel

cc: all counsel of record (via ECF)

As a courtesy, the Court grants a *final* one-week extension. Defendants shall file their responses to Plaintiffs' combined motion for summary judgment and motion to strike, and file any summary judgment or *Daubert* motions, by **November 3, 2023**. Plaintiffs' joint opposition and Defendants' reply are due on **December 4, 2023** and **December 18, 2023**, respectively. The Clerk of Court is directed to terminate Docket No. 110.

SO ORDERED.

A handwritten signature in black ink, appearing to be "Janet M.", is written over the text "SO ORDERED." and the date.

October 24, 2023